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Earth Smarte Water, LLC d/b/a DENCOH20, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TASTY ONE, LLC d/b/a EARTH SMARTE
WATER OF LAS VEGAS, Foreign Limited-
Liability Company;

Plaintiff

vs.

EARTH SMARTE WATER, LLC d/b/a
DENCOH20, LLC, an Arizona company; DOES
I through X; and ROE CORPORATIONS I
through X, inclusive,

Defendant

Case No.: 2:20-cv-01625-APG-NJK

**STIPULATION AND REQUEST FOR AN
ORDER TO EXTEND THE DEADLINE
TO FILE REVISED JOINT PRETRIAL
ORDER BECAUSE OF ATTORNEY
SUSPENSION**

(Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, plaintiff Tasty One, LLC d/b/a Earth Smarte Water of Las Vegas (“Plaintiff”), by and through its attorneys of record, the law firm MAIER GUTIERREZ & ASSOCIATES and defendant Earth Smarte Water, LLC d/b/a DENCOH20 (“Defendant”), by and through its attorney of record, the law firm of ALDRICH LAW FIRM, LTD, as follows:

Defendant’s local counsel in this litigation is John Aldrich of Aldrich Law Firm, Ltd. Lead counsel has been Arizona attorney Craig Broadbent, who was admitted *pro hac vice* in the case. Throughout this litigation, attorney Craig Broadbent has acted as lead counsel, handling all aspects of the case. Mr. Aldrich has had very limited involvement in the day-to-day handling of the case for Defendant.

1 On August 9, 2022, the parties filed their Proposed Joint Pretrial Order [ECF No. 87]. On
2 August 10, 2022 the Court issued an order rejecting the Proposed Joint Pretrial Order, [ECF No. 88],
3 and further ordering the parties to review the proposed exhibit lists, reduce the number of exhibits to
4 a reasonable number for a four-day trial, and provided there are no listed objections to the exhibits,
5 stipulate them into evidence in conformance with LR 16-3 and 16-4. *Id.* The current deadline to
6 submit a revised Proposed Joint Pretrial Order is September 6, 2022. *Id.*

7 Plaintiff re-evaluated its exhibits and sent its revised list to Defendant's counsel, Mr.
8 Broadbent, on Wednesday August 24, 2022. Having not received a revised exhibit list or response
9 from Defendant's counsel, Mr. Broadbent, Plaintiff reached out again by e-mail on the morning of
10 Monday August 29. In the August 29, 2022 U.S. Mail, MAIER GUTIERREZ AND ASSOCIATES received
11 the unfiled Notice of Suspension and August 9, 2022 Final Judgement and Order suspending Craig
12 Broadbent, from the practice of law in the state of Arizona for six months and one day with a further
13 two years of probation upon reinstatement. (Attached hereto as **Exhibit 1**).

14 In the afternoon of August 29, 2022, Mr. Hendricks received a call from Lisa Hanger, an
15 associate in Craig Broadbent's office. Ms. Hanger informed that her last day at the office would be
16 August 30, or 31 2022 and that the office was being immediately and permanently closed. Counsel
17 for Plaintiff immediately reached out to local counsel for Defendant, John Aldrich. Mr. Aldrich
18 received the same notice and judgment via U.S. Mail on August 29, 2022, but had not yet received
19 the mail that day and had been previously unaware of Mr. Broadbent's disciplinary action or
20 suspension. To date, Mr. Aldrich has had only limited involvement in this matter.

21 Because of this highly unusual circumstance, the parties agree to stipulate to a 45 day extension
22 of the deadline to submit the revised Proposed Joint Pretrial Order to allow Defendant time obtain
23 alternate counsel or make arrangements with Mr. Aldrich to become lead counsel in the matter. The
24 new deadline shall be October 21, 2022. This is the parties' second request for an extension of this

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1 deadline and third extension of any deadline in this matter. The trial dates proposed in the prior
2 Proposed Joint Pre-Trial Order are in June, July, and August of 2023, so this extension will not cause
3 any substantive delay in this proceeding. This extension is not intended to cause delay or prejudice
4 to any party.

5
6 IT IS SO STIPULATED.

7 DATED this 31st day of August 2022.

DATED this 31st day of August 2022.

8 **MAIER GUTIERREZ & ASSOCIATES**

SADDLEWORTH LAW, PLLC

9
10 */s/ Jean-Paul Hendricks*

CRAIG W. BROADBENT, ESQ. Admitted *pro hac*
vice

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12 JOSEPH A. GUTIERREZ, ESQ.

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13 JEAN-PAUL HENDRICKS, ESQ.

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15 *Attorneys for Plaintiff Tasty One, LLC d/b/a*

16 *Earth Smarte Water of Las Vegas*

ALDRICH LAW FIRM, LTD.

/s/ John P. Aldrich

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*Attorney for Defendants Earth Smarte Water,
LLC d/b/a DENCOH20, LLC*

20 **ORDER**

21 IT IS SO ORDERED this 2nd day of September, 2022.

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24 
25 **UNITED STATES DISTRICT JUDGE**